

E FILED ON 6/16/10

THOMAS E. CROWE, ESQ.
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:)	BANKRUPTCY NUMBER:
)	BK-S-09-30390-LBR
ALMA DeCASTRO)	Chapter 13
)	
)	
Debtor:)	Date: 8/12/10
)	Time: 2:30 p.m.

MOTION TO CONVERT TO CHAPTER 11

COMES NOW Debtor, by and through her attorney, THOMAS E. CROWE, ESQ., and move this Honorable Court for an Order converting the above-entitled case to one under Chapter 11 of the United States Bankruptcy Code.

This request is made and based upon papers and pleadings on file herein, the attached points and authorities, and oral argument at the time of hearing in this matter.

DATED this 16th day of June, 2010.

THOMAS E. CROWE PROFESSIONAL
LAW CORPORATION
/s/ THOMAS E. CROWE
THOMAS E. CROWE, ESQ.
State Bar No. 3048
7381 W. Charleston Blvd.
Suite 110
Las Vegas, NV 89117
Attorney for Debtor

POINTS AND AUTHORITIES

11 U.S.C. §1307(d) provides as follows:

Except as provided . . . at any time before the confirmation of a plan under section 1325 of this title, on request of a party in interest or the United States trustee and after notice and a hearing, the court may convert a case under this chapter to a case under chapter 11 or 12 of this title.

On or about October 28, 2009, the aforementioned Debtor filed for relief under Chapter 13 of the Bankruptcy Code. On or about February 4, 2010 the case was converted to Chapter 7 of the Bankruptcy Code. On or about May 3, 2010 the case was reconverted to Chapter 13 of the Bankruptcy Code based upon the existence of disposable income. The Debtor herein is requesting that this Court enter an order converting this case to one under Chapter 11 based upon her exceeding Chapter 13 debt limitations. Debtor has over \$1,200,000.00 in secured debt and must, therefore, convert to a Chapter 11. Debtor will meet disposable income requirements in her Chapter 11 Plan.

THEREFORE, Movant respectfully request an order converting this case to one under Chapter 11.

DATED this 16th day of June, 2010.

Respectfully Submitted,

THOMAS E. CROWE PROFESSIONAL
LAW CORPORATION

By /s/ THOMAS E. CROWE
THOMAS E. CROWE, ESQ.
State Bar No. 3048
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Las Vegas, NV 89117
Attorney for Debtor

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)	BK-S-09-30390-LBR
ALMA DeCASTRO)	Chapter 13
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Debtor.)	Date: 8/12/10
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PROPOSED ORDER RE: MOTION TO CONVERT TO CHAPTER 11

This matter having come before the Court on August 12, 2010, THOMAS E. CROWE, ESQ., attorney for Debtor, having been present, for good cause appearing therefore, it is therefore ORDERED AND DECREED:

THAT the above-entitled matter be converted to one under Chapter 11 of the United

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States Bankruptcy Code.

Submitted by:

THOMAS E. CROWE PROFESSIONAL
LAW CORPORATION

By /s/ THOMAS E. CROWE
THOMAS E. CROWE, ESQ.
7381 W. Charleston Blvd.
Suite 110
Las Vegas, NV 89117
Attorney for Debtor

By _____
KATHLEEN LEAVITT
201 Las Vegas Blvd, South
Suite 200
Las Vegas, Nevada 89101

In Accordance with LR 9021, counsel submitting this document certifies as follows:

- The court has waived the requirement of approval under LR 9021.
- No parties appeared or filed written objections, and there is no trustee appointed in this case.
- No parties appeared or filed written objections, and the trustee is the movant.
- This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:
- This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:
- I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

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